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Security Council

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Security Council Committee established pursuant to resolution 1267 (1999)

Note verbale dated 16 April 2002 from the Permanent Mission of the Republic of Estonia to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of the Republic of Estonia to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Afghanistan and, with reference to the note of 7 March 2002 from the Committee, has the honour to forward the national report of the Republic of Estonia, pursuant to resolution 1390 (2002) (see annex).

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Annex to the note verbale dated 16 April 2002 from the Permanent Mission of the Republic of Estonia to the United Nations addressed to the Chairman of the Committee

Report to the Security Council Committee established pursuant to resolution 1267 (1999) on the implementation of Security Council resolution 1390 (2002)

Estonia

A. General information

Estonia condemns all forms of terrorism and considers it a serious threat to peace and stability. Pursuant to the Criminal Code, terrorism is certified as a major offence in Estonia and, in case of aggravating circumstances, it is possible to impose a sentence of up to a maximum of life imprisonment.

Estonia supports the initiatives of the United Nations and other international organizations to prevent and combat terrorism, to freeze the funds and economic resources used by terrorists or provided by individuals, groups, undertakings and entities supporting them, to prevent making benefits available to them by any person from Estonian territory and to prevent the entry into, or the transit through, Estonian territory of persons suspected of terrorism.

Estonia has launched a range of measures participating in the fight against terrorism. Estonian legislation enables the full implementation of United Nations Security Council resolutions 1267 (1999) and 1333 (2000) and is updated regularly pursuant to Security Council Committee references. Concerning the above-mentioned resolutions as well as Security Council resolutions 1373 (2001) and 1390 (2002), Estonia has taken all the necessary measures for their complete implementation.

The competent authorities of Estonia combating terrorism directly or indirectly have close contacts and relations with the relevant institutions of other countries and international organizations in this field. Practical cooperation is functioning with international organizations (Interpol, Europol) in the framework of multilateral and bilateral agreements and according to the Security Council resolutions that are binding on Estonia.

In addition to the report already presented by Estonia in December 2001, pursuant to Security Council resolution 1373 (2001), and on the assumption of guidance for the submission of the report pursuant to Security Council resolution 1390 (2002), adopted by the Security Council on 16 January 2002, and in particular, paragraphs 2, 6 and 8 thereof regarding combating, preventing and financing terrorism, an information outline of Estonia's competent institutions is provided below.

B. Information regarding the questions of the Security Council Committee

Concerning paragraph 2

(a) On 20 March 2002 the *Riigikogu* adopted the Law on Ratification of the International Convention for the Suppression of the Financing of Terrorism (Proclaimed by President on 2 April 2002; Act No. 134).

On 31 May 1999 (Regulation of the Minister of the Internal Affairs; Act No. 63), the Inter-Institutional Committee on Combating Money Laundering under the responsibility of the Ministry of Internal Affairs and the Money Laundering Committee of the Estonia Banking Association were established. All authorities and offices dealing with the hindrance of the financing of terrorism in the Republic of Estonia participate actively in the work of both bodies.

The Estonian Security Police Board is directly responsible in Estonia for the prevention of terrorism and the hindrance of terrorist acts, conducting also the pre-court investigation of offences connected with terrorism. After the terrorist attacks of 11 September 2001, Estonia has taken the direction of raising resources foreseen for competent authorities with the purpose of strengthening the capacity of Estonia in combating terrorism. The main emphasis has been laid upon the improvement of the process of information collection, as well as on advanced training and increasing the number of personnel.

The Security Police Board is tightening cooperation with Estonian financial institutions in order to discover and monitor possible transactions connected with terrorism and to identify the persons concerned, using different technological solutions.

The Estonian Security Police Board has intensified its prosecution process with the purpose of cutting off the monetary means of terrorists or persons connected to them, utilizing all legal means for the capture of those persons and for bringing them to trial. The Estonian Surveillance Act and the Security Authorities Act provide wide enough powers to organize prosecution activities in the framework of combating terrorism. The Estonian Security Police Board has also activated and increased the use of classified methods, provided by the Security Authorities Act, for preventing international terrorism in Estonia in view of all activities covered by article 2 of resolution 1390 (2002) — the movement of terrorists and their groups, financial support, as well as the supply of arms and explosives.

In addition to official institutions and enterprises, the Security Police Board is cooperating with relevant institutions of friendly countries for the exchange of operational information on the movement and activities of persons possibly connected to terrorist groups.

The Estonian Financial Supervision Authority has, with the mediation of the Ministry of Foreign Affairs and on the basis of written data forwarded by the United States of America (altogether 11 lists (15 April 2002)), regularly and without delay notified financial institutions (altogether 45), who are subjects of financial supervision in Estonia, of suspected persons and organizations (including their financial assets) that according to the decisions of the Security Council, the United States Government and the Council of the European Union, are connected with terrorist organizations.

In its notifications to these financial institutions, the Estonian Financial Supervision Authority has asked them to check for the existence of the mentioned persons and on the means of the persons connected to them in credit or financial institutions, and they are asked, when necessary, to take decisive measures that would grant timely information being forwarded to the competent authorities.

In addition, the Financial Supervision Authority is improving the corresponding regulations dealing with the identification of customers and the determination of shady and peculiar transactions. The above-mentioned recommendatory regulations are to be adopted in the nearest future.

Based on the responses received to date, no financial means of any of the identified persons have been established in the Estonian credit or financial institutions.

(b) As a regular procedure, the Estonian Border Guard has a weekly information exchange operating the framework of the Border Control Cooperation of the Baltic Sea States, which deal with the events and occurrences having taken place on the borders of the cooperation countries, Estonia together with Latvia, Lithuania, Poland, Germany, Denmark, Norway, Sweden, Finland and the Russian Federation participate in the above-mentioned format. Since November 2001, an information exchange has been an operation that deals with the detention of terrorists and persons connected with terrorist organizations on the borders of the Baltic Sea States. As has been agreed upon, cooperation partners are being informed immediately about all extraordinary occurrences that may be of interest to the countries participating in this format. The Border Guard uses liaisons officers of the other countries for the information exchange as well as the assistance of Europol and Interpol.

The Border Guard regularly gets lists of persons suspected of terrorism or supporting terrorism from the Security Police Board in order to check, and in case of necessity to hinder, the border crossing of such persons.

In order to hinder the use of forged, lost or stolen documents and to prevent the border crossing of persons wanted or persons, whose entry into the country have been restricted, the border crossers are examined through a corresponding database on their arrival to and departure from the country.

For the discovery of forged travel documents and the prevention of their use, all the international border points have been supplied with document control devices. The major border points are supplied with the VSC-2000 and DIXI-05 systems. For the ultimate control of documents the Centre of the Evaluation of Travel Documents has been created within the Border Guard, providing expert analysis of travel documents and compiling the summaries of the samples of documents and of the forgeries detected. The Centre of Travel Documents exchanges relevant information with the border points and also with other offices and countries.

(c) According to the principles of the non-proliferation agreements and conventions, in 1994, the Estonian Government introduced an export control system based on the guidelines of the Australia Group, Nuclear Suppliers Group, Missile Technology Control Regime and the former Coordinating Committee on Multilateral Export Controls (COCOM), aiming to prevent the supplying, selling and transferring

of arms, related materials, equipment, paramilitary equipment, spare parts and technical advice, assistance or training.

The Commission of the control of the importation, exportation and transit of strategic goods is monitoring and implementing, through the Estonian legislative system, the sanctions, boycotts and embargoes established by the United Nations, the Organization for Security and Cooperation in Europe and the European Union.

The Estonian Customs Board, in regular cooperation with the Estonian Security Police Board, has also taken action to implement more efficiently the measures connected with the fulfilment of Security Council resolution 1390 (2002). Regular information exchange and cooperation has been started with the Customs and Security Police Board in the framework of the special agreement.

The current export control legislation and procedures are compatible with European Union regulations, the European Union Code of Conduct on Arms Exports and with international export control an non-proliferation regimes. The latest version of the Estonian List of Strategic Goods, adopted on 30 April 2001, is fully compatible with the Wassenaar Arrangements' munitions list and with the European Union dual-use list.

In its efforts to make the export control system more efficient, Estonia is currently focusing on the process of establishing control over brokerage activities and on industries' internal compliance programmes. A comprehensive programme to supply Estonian Customs with technical aid from the United States of America has already started. In the first instance it involves the means of control of strategic goods. The training for the fight against terrorism has become regular, such as for the discovery of strategic goods and how specific information processing may be classified. The purpose is to share information at the disposal of Estonian Customs with the other relevant offices.

In addition to the field of different prohibited goods — explosives and trading in arms as one of the possible financing sources of terrorism — is also the object of investigations by the Estonian Security Police Board. In Estonia the following acts are considered as acts related to terrorism and punishable as crimes: violation of the rules of international air navigation; illegal hijacking of an aircraft; acquisition of radioactive material in a criminal way; threat to acquire radioactive material in a criminal way or to use the material for a criminal purpose; violation of the rules of keeping, use, taking account of, conveyance or other rules of the handling of radioactive material; smuggling; and illegal manufacture, acquisition, etc., of explosives and blasting devices or their necessary parts.

Concerning paragraph 8

At the present moment on the administrative level the focus is on the upgrading of mutual cooperation and activities connected with the implementation of resolution 1390 (2002) of the Security Council.

The entry into force of the new International Sanctions Act (draft adopted by the Government of Estonia on 19 March 2002, now in the *Riigikogu*) will further simplify the implementation procedure of different international sanctions in Estonia.